



#13
Notice of Appeal
10/19/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bogdanove et al.)
Serial No. : 09/596,784)
Cnfrm. No. : 3745)
Filed : June 19, 2000)
For : HYPERSENSITIVE RESPONSE ELICITOR)
FROM *ERWINIA AMYLOVORA*, ITS USE,)
AND ENCODING GENE)

Examiner:
G. Bugaisky

Art Unit:
1653

NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME

U.S. Patent and Trademark Office
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Dear Sir:

TECH CENTER 1600/2900

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated March 22, 2002, finally rejecting claims 17, 19, 38, and 39.

Enclosed is a check for \$160.00 to cover the cost of the appeal fee.

Applicants hereby request an extension of time of three months from the due date of June 22, 2002. A check in the amount of \$460.00 is enclosed to cover the extension of time fee.

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.


09/30/2002 BABRAHA1 00000019 09596784

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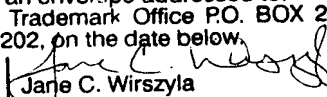
Respectfully submitted,

Dated: September 23, 2002


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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Jane C. Wirszyka